

**ASSIGNED****52303**

Serial No. \_\_\_\_\_

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. JUL 07 1988Returned to applicant for correction. AUG 15 1988Corrected application filed. AUG 22 1988 Map filed. AUG 03 1988 under 52302, existing  
POD & POU under 39112The applicant. Bert T. Swanston, an undivided 1/3 interest; Robert Swanston, an undivided  
1/3 interest; Robert Leal & Elysian Farms, Inc., an undivided 1/3 interest.500 "N" Street, Suite 23 of Sacramento  
Street and No. or P.O. Box No. City or TownCalifornia 95814 hereby make application for permission to change the  
State and Zip Code No.Point of Diversion & Place of Use  
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit #39112  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 2.7 c.f.s.  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, T. 36 N., R. 66 E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B. & M., or at a point from which the SW corner of Section 22, T. 36 N., R. 66  
distance to a section corner. If on unsurveyed land, it should be stated.  
E., M.D.B. & M., bears S. 17° 33' 58" W., 5890.48 feet.
6. The existing permitted point of diversion is located within NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, T. 35 N., R. 66 E.,  
If point of diversion is not changed, do not answer  
M.D.B. & M., or at a point from which the S $\frac{1}{4}$  corner of said Section 3 bears S. 03°  
00' 00" W., 1991 feet.
7. Proposed place of use 160 acres within Sections 15; W $^2$  NW $\frac{1}{4}$ , S $^2$ , 22; & 23 all within  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
T. 36 N., R. 66 E., M.D.B. & M.
8. Existing place of use E $\frac{1}{4}$  of Section 3, T. 35 N., R. 66 E., M.D.B. & M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) drilled and cased well, pump and motor  
State manner in which water is to be diverted, i.e., diversion structure, ditches,  
wheel line sprinkler.  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please use map filed in support of Permit 39112 for existing Point of Diversion and existing Place of Use.

/s/ Jack D. Ferris  
Thiel, Winchell & Associates  
5151 So. Carson St., Suite 301  
Carson City, Nevada 89701

Compared kh/jm

Protested

OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I.....  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this.....day of.....  
A.D. 19.....

State Engineer

SEP 28 1992  
STATE ENGINEER